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## Report to Planning & Zoning Commission

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Clay County, Missouri

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**Case Number**                      **September 15-134F**

**Case Type**                        **Final Plat**

**Project Name**                    **Nichols Farm**

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Applicant:                        Bradley Nichols  
   8707 N. Lydia  
   Kansas City, Missouri 64155

Owner:                             Frank S. Nichols  
   8707 N. Lydia  
   Kansas City, Missouri 64155

Request                            **Final Plat** approval of Nichols Farm

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Application Submittal            2015-08-03

Public Notice Published        N/A

Neighbor Letters Sent         2015-08-12

Report Date                      2015-08-26

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REPORT AUTHOR(S)             Debbie Viviano, Planner  
   Matt Tapp, Manager

Recommendation                TABLED with conditions



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Clay County, Missouri

## General Information

**Site Location:** .4 miles south of 92 Highway along Hornback Road  
Section 34 | Township 53 | Range 33

**Site Size:** 40.03 ± acres

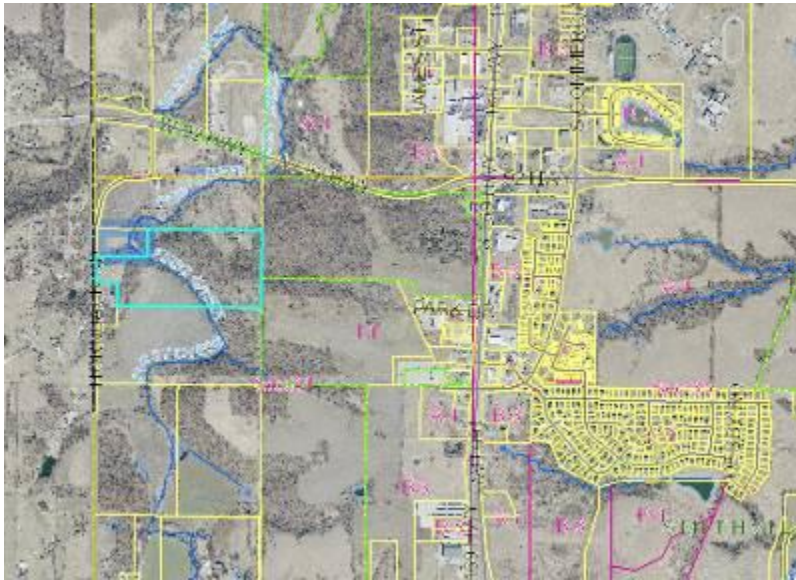
**Existing Landuse & Zoning:** Agricultural (AG)

**Zoning/Platting History:** None

### Surrounding Landuse & Zoning:

North - Pitman Farm (R-1A), AG zoned land  
East - C-2 zoned land, City of Smithville, 92 Highway  
South - Kullman Farm (R-1A), AG zoned land  
West - Platte County

### Current Conditions:



Courtesy of Clay County Assessor GIS/Mapping



Courtesy Microsoft® Bing™



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## Assessment

Bradley Nichols, representing Frank S. Nichols is requesting **Final Plat** approval for Nichols Farm, approximately 40.03 acres located at approximately .4 miles south of 92 Highway along Hornback Road

Mr. Nichols would like to split the property into two (2) lots in order for his Son to build a home on the smaller Lot 1, which is approximately 10 acres.

### **Character of the General Neighborhood**

The property abuts the city limits of the City of Smithville, and C-2 zoning on the east. On the west is Platte County. To the north is Pitman Farm (R-1A), a one lot subdivision and Agriculturally zoned land. To the South is Kullman Farm (R-1A), a one lot subdivision and Agriculturally zoned land. First Creek traverses along the eastern portion of the proposed subdivision flowing from the north to the southeast [See Attachment B].

### **Code Considerations**

The review procedures and submittal content for a Final Plat must be in substantial compliance with the approved preliminary plat in accordance with the requirements under **Section 151-3.6 (D)** of the Clay County 2011 Land Development Code ("LDC"). Based on all the materials and evidence presented, the subject request *appears to substantially comply with the LDC and preliminary plat*.

The application was properly noticed, per regulations and adjacent property owners were notified within the mandated 1,000 foot distance by means of a letter dated August 12, 2015.

### **Outside Agency Review**

The Clay County Highway Department has noted the following:

"Clay Co. Highway will perm[it] the driveways will pass MUTCD & CCH specifications. [Hornback] is chip seal. There will be a 30-ft [right-of-way]".

The Clay County Health Department has not given approval for the suitability of septic systems, due to the lack of the morphology reports. Platte County Public Water Supply District #4 has given approval for both lots with conditions the Water District deems necessary. The property lies within the Smithville Area Fire Protection District, and will be required to meet the districts fire hydrant and water supply requirements for residential subdivisions.

## Findings

Any building permits issued for both lots of the subject request will require a Certificate of Elevation due to the existence of designated FEMA SFHA (Special Flood Hazard Area) on the property.

Road Impact Fees (*RIF*) are required unless the waiver is approved by the Highway Department, the Planning and Zoning Commission and the County Commission.

A shared driveway agreement for the ingress/egress (*I/E*) easement will need to be recorded along with the final plat.



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## Recommendations

Staff recommends the **Final Plat** of **Nichols Farm** be **tabled** due to the absence of approved public services (sanitary sewer system). However, if the Planning and Zoning Commission votes to approve, staff recommends the following conditions as shown on Exhibit A:

### Exhibit A

1. Building plans shall be submitted and approved by the Smithville Area Fire Protection district before a building permit will be issued, and then prior to a Certificate of Occupancy being issued a letter of compliance is required from the fire district.
2. Road Impact Fees (RIF) are required unless the waiver is approved by Highway Department, Planning & Zoning Commission and the County Commission.
3. Emergency addressing (911 signage) must be in place prior to the occupancy of any single family residence on Lot 2. Owners of the Lots must maintain both driveway and 911 sign.
4. A shared driveway agreement must be in place at the time of Final Plat recording.
5. The following corrections to the recording copies of the final plat:
  - a. ADD: Lot 1; 15' utility easements (UE) on the south and east interior property lines.
  - b. ADD: Lot 2; 15' UE along all interior property lines, except front which will need a 30' UE.
  - c. ADD: Cross hatching graphic for the FEMA designated Special Flood Hazard Areas (SFHA).
  - d. ADD note: "Designated Special Flood Hazard Areas (SFHA) per FEMA FIRM Map #29047C0101E, Panel No 101 of 350, Dated August 3, 2015."





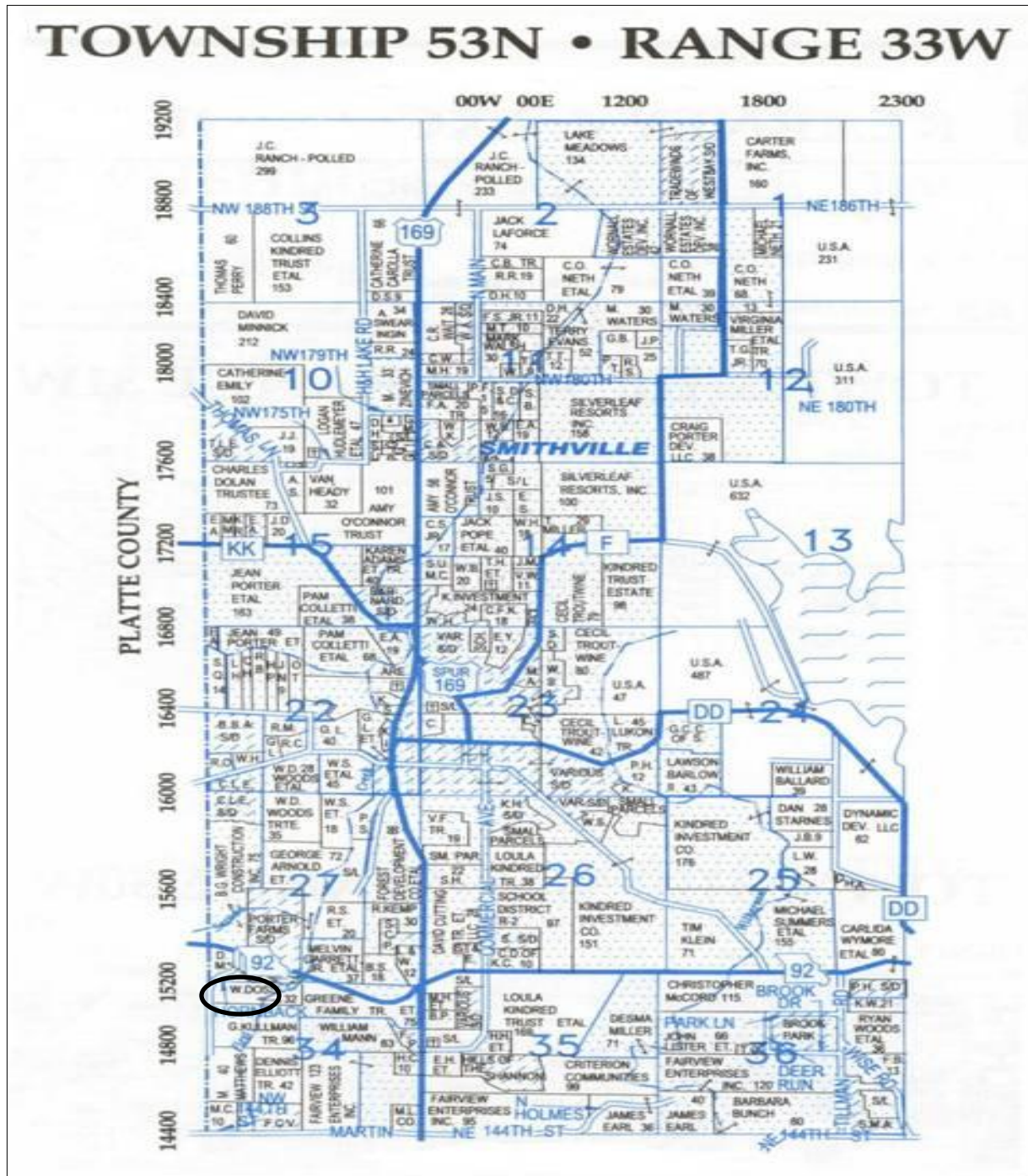
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## Attachments

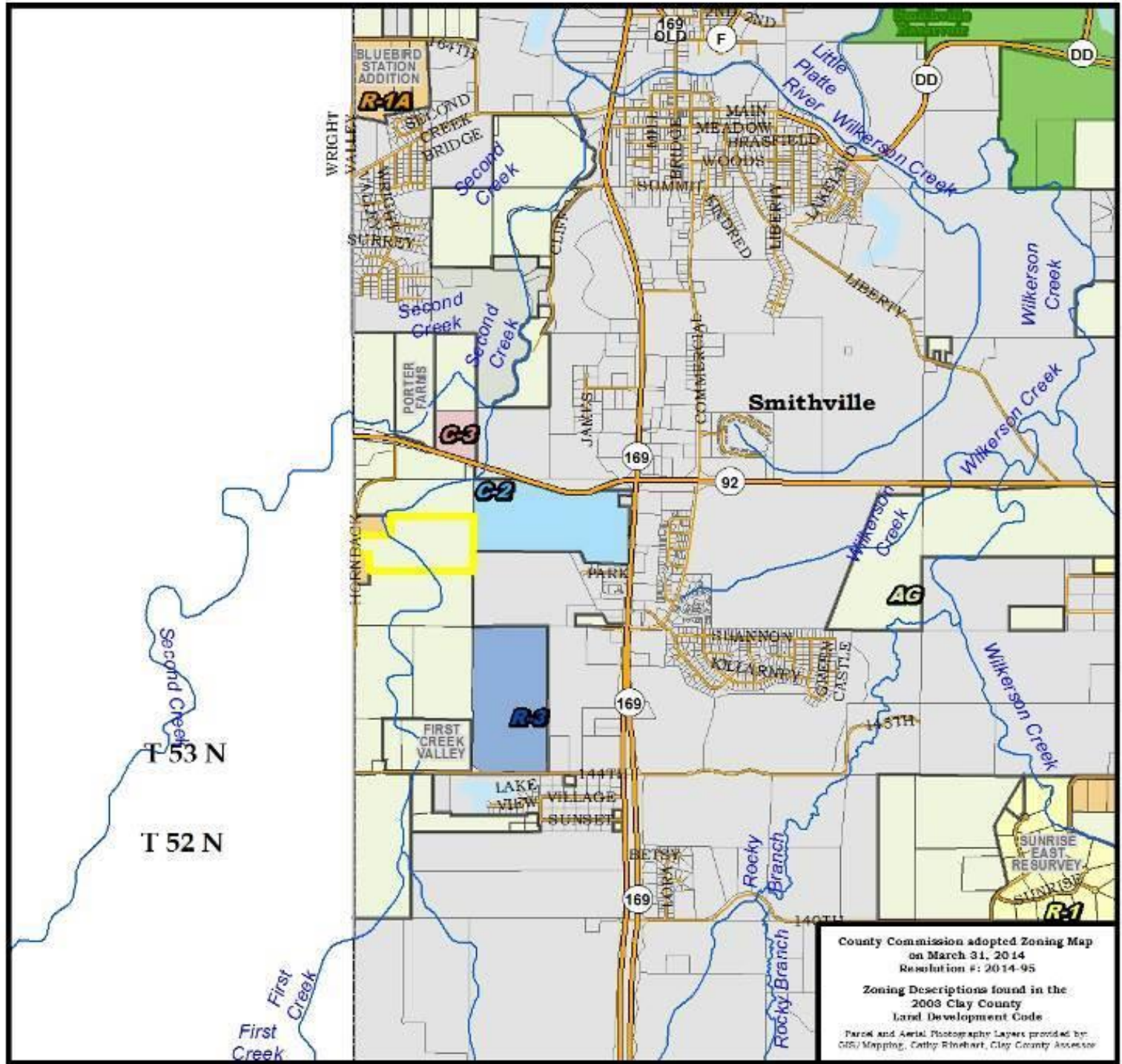
### September 15-134F – Nichols Farm

#### Attachment A - Vicinity Map



# Sept 15-134F – Nichols Farm

## Attachment B - Existing Conditions Map



Planning & Zoning Department



1 inch = 2,500 feet  
1 inch = 0.47 miles

### LEGEND

- Property Line
- Streams (EPA)
- Railroads
- Roads
  - Interstates
  - State Highways
  - Local Roads
  - Highway Ramps
- Subdivisions
- City Limits
- Parks
- County Boundaries

### Overlay Districts

- CD (Conservation District)
- PDD (Preservation Overlay District)
- PUD (Planned Unit Development)

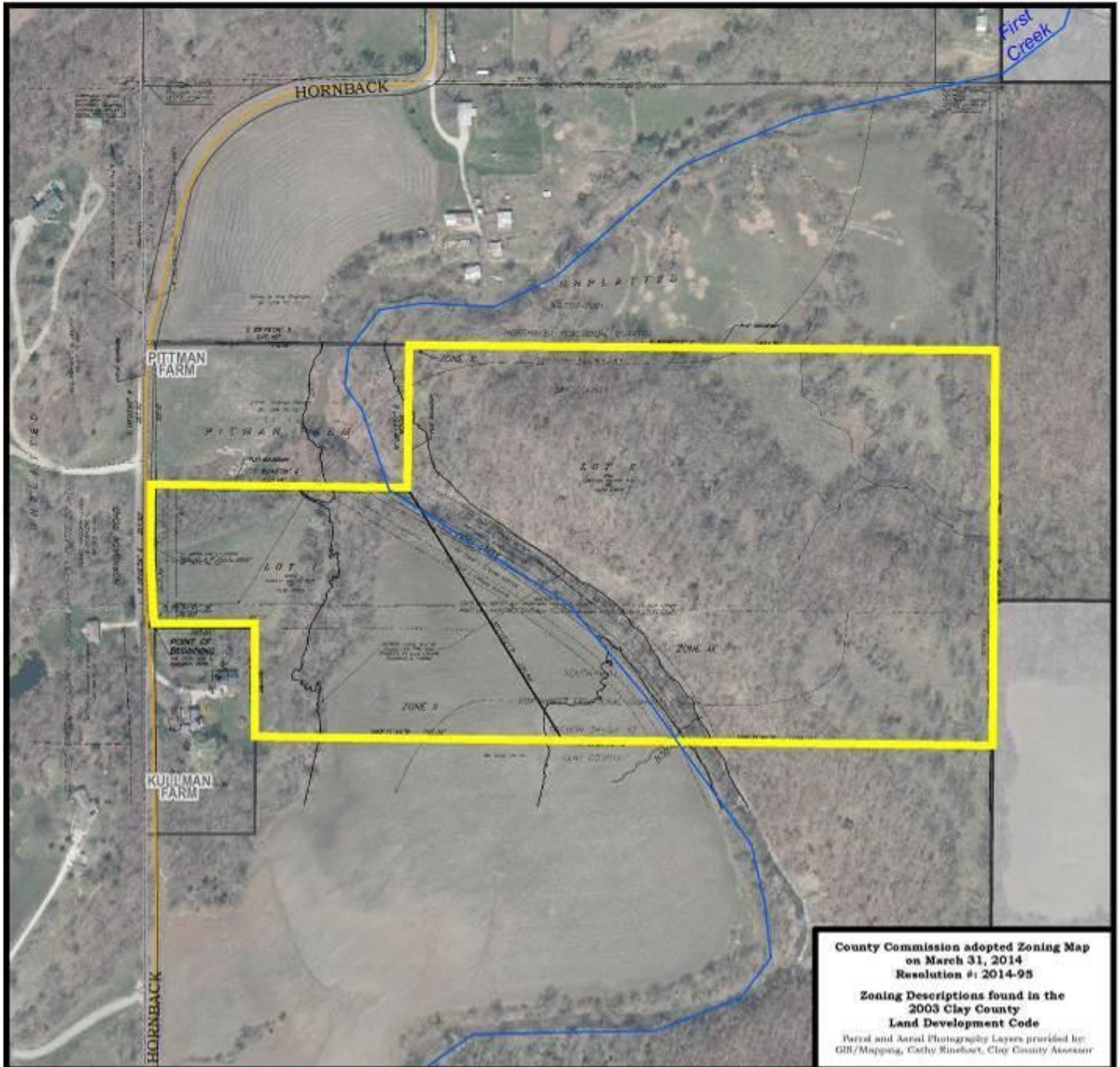
### Zoning Districts

- C-1
- C-2
- C-3
- R-1
- R-1A/R-2
- R-1S/RU
- R-3
- AG
- OP



# Sept 15-134F – Nichols Farm

## Attachment C - Site Plan Map



Planning & Zoning Department



1 inch = 350 feet  
1 inch = 0.07 miles

### LEGEND

- |               |                |                   |
|---------------|----------------|-------------------|
| Property Line | Roads          | Subdivisions      |
| Streams (EPA) | Interstates    | City Limits       |
| Railroads     | State Highways | Parks             |
|               | Local Roads    | County Boundaries |
|               | Highway Ramps  |                   |